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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Salvatore Polizzi, et al.

Title of Invention: **NON VOLATILE MEMORY DEVICE ARCHITECTURE,
FOR INSTANCE A FLASH KIND, HAVING A SERIAL
COMMUNICATION INTERFACE**

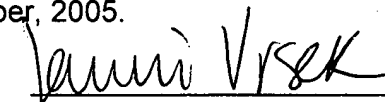
Serial No.: 10/727,341

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7th day of November, 2005.


Signature

RESPONSE TO RESTRICTION REQUIREMENT

November 7, 2005

TO THE COMMISSIONER FOR PATENTS:

This communication is in response to the Restriction Requirement dated September 7, 2005 in which the Examiner restricted the pending claims in the present patent application.

The Examiner has restricted the claims into two groups: Group 1 including claims 1-19 and Group 2 including claims 20-24. As discussed below, the Applicants respectfully traverse the restriction requirement on the grounds that the Examiner can search and examine the entire application without serious burden. Although the Applicants traverse the restriction requirement as discussed below, they provisionally elect to prosecute Group 1 claims 1 – 19 if the Examiner does not withdraw the restriction requirement.

According to MPEP § 803, if the Examiner can search and examine the application without serious burden, then he/she **MUST** examine the application on the merits even though it includes claims to independent or

distinct inventions. As discussed below, because claims 1 – 24 recite similar subject matter, the Examiner can perform a single search and examination that will cover all of the claims. Consequently, the Examiner can search and examine the application without serious burden, and, therefore, **MUST** examine all of the claims 1 – 24 together.

Because the claims in these two groups recite related subject matter, examination of these claims will involve similar analyses. Claims 1-19 recited a method of operating a memory device and memory devices while claims 20-24 recited computer systems including such memory devices. Since the Examiner will be searching art related to memory devices for the provisionally elected Group I claims 1 – 19, wherever such art is classified, it will therefore be only slightly more burdensome for the Examiner to search and examine claims 20-24 directed to computer systems including such memory devices. Consequently, because there is no serious burden on the Examiner to search and examine all of the claims 1 – 24, the **restriction is improper**. Therefore, the Examiner **MUST** withdraw the restriction and examine all of the claims.

Therefore, as discussed above, the Applicants respectfully request the Examiner to withdraw the restriction requirement and to examine all of the claims 1 - 24.

In the event an additional fee is due for this Response, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicants' attorney, Paul F. Rusyn, at (425) 455-5575.

Respectfully submitted,

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